ST/SGB/Staff Rules/2/Rev.8/Amend.1
1 March 1996

SECRETARY-GENERAL'S BULLETIN

To: Members of the staff

Subject: STAFF RULES

1. Staff rules 200.1 to 212.7, applicable to staff members specifically recruited for service with technical cooperation projects, published in document ST/SGB/Staff Rules/2/Rev.8, are amended as described below.

2. Staff rules 203.8 (b), Education grant, and 205.2 (a), Home leave, are amended to implement General Assembly resolution 49/241 of 6 April 1995, in which the Assembly decided that the repatriation grant and other expatriate benefits would be limited to staff who both worked and resided in a country other than their home country.

3. Subparagraphs (d), (e) and (l) of staff rule 203.8, Education grant, are amended to reflect the different rates applicable to education grant claims, whether received in respect of children studying in the United States of America or from other parts of the world, except the currency areas specifically designated.

4. Staff rule 207.21 (b), Insurance, is amended to clarify the insurance coverage applicable to all project personnel, including those in short-term status.

5. Staff rule 209.11 (v), Last day for pay purposes, is amended for clarification purposes and to bring it in line with the corresponding rule under the 100 series of the Staff Rules.

6. Rule 212.7, Effective date and authentic texts of rules, is amended to update the text of the Staff Rules in accordance with the present amendment.

7. New pages 17 to 20, 31, 32, 53, 54, 63, 64, 71, 72, 81 and 82 are transmitted herewith for insertion in the Staff Rules.

Boutros BOUTROS-GHALI
Secretary-General

(ii) A "dependent child" shall be an individual's natural or legally adopted child, or an individual's step-child, if residing with the individual, under the age of eighteen years or, if the child is in full-time attendance at a school or university (or similar educational institution), under the age of twenty-one years, for whom the individual provides main and continuing support. The Secretary-General shall establish special conditions under which other children, who fulfil the age, school attendance and support requirements indicated above, may be regarded as dependent children of an individual. If a child over the age of eighteen years is physically or mentally incapacitated for substantial gainful employment either permanently or for a period expected to be of long duration, the requirements as to school attendance and age shall be waived. An individual claiming a child as a dependant must certify that he or she provides main and continuing support. This certificate must be supported by documentary evidence satisfactory to the Secretary-General if a child:

a. Does not reside with the individual;

b. Is married; or

c. Is regarded as a dependant under the special conditions referred to above;

(iii) Subject to the provisions of staff regulation 3.4 (a) (i), the full amount of the dependency allowance provided under that regulation in respect of a dependent child shall be payable, except where the individual or his or her spouse receives a direct governmental grant in respect of the same child. Where such a governmental grant is made, the dependency allowance payable under this rule shall be the amount by which the governmental grant is less than the rate of the allowance set out in staff regulation 3.4 (a) (i);

(iv) A secondary dependant shall be the father, mother, brother or sister of whose financial support the individual provides one half or more, and in any case at least twice the amount of the dependency allowance, provided that the brother or sister fulfils the same age and school attendance requirements established for a dependent child. If the brother or sister is physically or mentally incapacitated for substantial gainful employment either permanently or for a period expected to be of long duration, the requirements as to school attendance and age shall be waived;

(v) A dependency allowance shall be paid in respect of not more than one dependent parent, brother or sister; such payment shall not be made when dependency benefit is being paid for a spouse.

(c) Payment of dependency allowance shall be made only in respect of the period during which the circumstances giving rise to the claim obtain.

(d) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. A separate claim for dependency allowances shall be made each year.

Rule 203.8

Education grant

Definitions

(a) For the purposes of this rule:

(i) "Child" means a child of an individual who is dependent upon that individual for main and continuing support. "Disabled child" means a child who is unable, by reasons of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability;

(ii) "Home country" means the country of home leave of project personnel under rule 205.2;

(iii) "Duty station" means the country, or area within commuting distance notwithstanding national boundaries, where the project personnel are serving.

Eligibility

(b) Project personnel in intermediate-term or long-term status, and who reside and serve at a duty station which is outside the home country, shall be entitled to an education grant in respect of each child in full-time attendance at a school, university or similar educational institution. If such project personnel are reassigned to a duty station within their home country, they may receive the education grant for the balance of a school year, not exceeding one full school year after their return from expatriate service. The grant shall not, however, be payable in respect of:

(i) Attendance at a kindergarten or nursery school at the pre-primary level;

(ii) Attendance at a free school or one charging only nominal fees at the duty station;

(iii) (Cancelled)

(iv) Correspondence courses, except those which in the opinion of the Secretary-General are the best available substitute for full-time attendance at a school of a type not available at the duty station;

(v) Private tuition, except tuition in a language of the home country at duty stations where satisfactory school facilities for learning that language are not available;

(vi) Vocational training or apprenticeship which does not involve full-time schooling or is of a kind under which the child receives a payment for services rendered.

(c) (i) The grant shall be payable up to the end of the school year in which the child completes four years of post-secondary studies or is awarded the first recognized degree, whichever is the earlier;

(ii) The grant will not normally be payable beyond the school year in which the child reaches the age of twenty-five years. If the child's education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.

Amount of the grant

(d) In the case of attendance at an educational institution outside the duty station, and unless educational expenses are incurred in designated currencies other than the United States dollar, in which case the maximum amounts shall be those established for each of the designated currencies, the amount of the grant shall be:

(i) Where the institution provides board for the child, 75 per cent of the allowable costs of attendance and of the cost of board up to $13,000 ($16,900 if education takes place in the United States of America) a year, with a maximum grant of $9,750 a year ($12,675 in the United States);

(ii) Where the institution does not provide board, $2,900 ($3,770 if education takes place in the United States) plus 75 per cent of the allowable costs of attendance up to $9,133 a year ($11,873 in the United States), with a maximum grant of $9,750 a year ($12,675 in the United States).

However, in the case of project personnel serving at designated duty stations, 100 per cent of boarding costs up to $3,000 a year may be reimbursed in respect of attendance at the primary or secondary levels, as an amount additional to the maximum grant of $9,750 a year ($12,675 in the United States).

(e) In the case of attendance at an educational institution at the duty station:

(i) The amount of the grant shall be 75 per cent of the cost of attendance up to $13,000 a year ($16,900, if education takes place in the United States), with a maximum grant of $9,750 a year ($12,675 in the United States);

(ii) Where such an educational institution is located beyond commuting distance from the area where the staff member is serving and, in the opinion of the Secretary-General, no school in that area would be suitable for the child, the amount of the grant shall be calculated at the same rates as specified in paragraph (d) above.

(f) Where attendance is for less than two thirds of the scholastic year, the amount of the grant for that year shall be that proportion of the grant otherwise payable which the period of attendance bears to the full scholastic year.

(g) Where the period of service does not cover the full scholastic year, the amount of the grant for that year shall normally be that proportion of the grant otherwise payable which the period of service bears to the full scholastic year.

Tuition of the mother tongue

(h) The Secretary-General will decide in each case whether the education grant shall be paid for tuition of the mother tongue under the second paragraph of regulation 3.2 (c).

Claims

(i) Claims for education grant shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. Payment under this rule shall normally be made in the actual currency of expenditure.

Establishment of the grant in local currency

(j) When the educational expenses are incurred in countries especially designated by the Secretary-General, the amounts set out in paragraphs (d) and (e) above shall be established in local currency.

Special education grant for disabled children

(k) A special education grant for disabled children shall be available to project personnel, regardless of whether or not they are serving in their home country, provided that they have an appointment of one year or longer or have completed one year of continuous service.

(l) The amount of the grant shall be 100 per cent of the educational expenses actually incurred up to a maximum grant of $13,000 ($16,900 if educational expenses are incurred in the United States) a year. If the disabled child is eligible for the regular education grant, the total amount payable under the two types of grant shall not exceed $13,000 a year ($16,900 if educational expenses are incurred in the United States of America) unless educational expenses are incurred in designated currencies other than the United States dollar, in which case the maximum amounts shall be those established for each of the designated currencies. "Educational expenses" reimbursable under the special education grant shall comprise the expenses incurred to provide an educational programme designed to meet the needs of the disabled child in order that he or she may attain the highest possible level of functional ability.

(m) The grant shall be computed on the basis of the calendar year, if the child is unable to attend a normal educational institution, or on the basis of the school year, if the child is in full-time attendance at a normal educational institution while receiving special teaching or training. The grant shall be payable in respect of any disabled child from the date on which the special teaching or training is required up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of twenty-five years. In exceptional cases, the age limit may be extended up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of twenty-eight years.

(n) Where the period of service does not cover the full school year or calendar year, the amount of the grant shall be that proportion of the annual grant which the period of service bears to the full school or calendar year.

(o) Claims for the grant shall be submitted annually in writing and supported by medical evidence, satisfactory to the Secretary-General, regarding the child's disability. Project personnel shall also be required to provide evidence that they have exhausted all other sources of benefits that may be available for the education and training of the child. The amount of

Article V

ANNUAL AND SPECIAL LEAVE

Regulation 5.1: Staff members shall be allowed appropriate annual leave.

Regulation 5.2: Special leave may be authorized by the Secretary-General in exceptional cases.

Regulation 5.3: Eligible staff members shall be granted home leave once in every two years. However, in the case of designated duty stations having very difficult conditions of life and work, eligible staff members shall be granted home leave once in every twelve months. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in United Nations service, shall not be eligible for home leave.

Chapter V

ANNUAL AND SPECIAL LEAVE

Rule 205.1

Annual leave

(a) Project personnel who are granted appointments of six months or more, or who have completed six months' continuous service, shall accrue annual leave while in full pay status at the rate of six weeks for each year of continuous service. No leave shall accrue while an individual is receiving compensation equivalent to salary and allowances under rule 206.5. Official holidays as under rule 201.3 shall be excluded for the purpose of computing annual leave.

(b) Annual leave may be taken in units of days or half-days, subject to the exigencies of service. Project personnel shall be required to submit a monthly report of leave so taken; a "NIL" report shall be submitted where no leave has been taken during the month.

(c) Project personnel in continuous employment may carry over up to six weeks of annual leave from the first year to the second counted as of the anniversary date of their initial appointment; a maximum of nine weeks accrued annual leave may be carried over from the second to the third year of service; thereafter, a maximum of twelve weeks of accrued annual leave may be carried over from one year to the next.

(d) Leave may be taken only when authorized. If an individual is absent from work without authorization, payment of salary and allowances shall cease for the period of unauthorized absence. However, if, in the opinion of the Secretary-General, the absence was caused by reasons beyond the individual's control, and the individual has accrued annual leave, the absence will be charged to that leave.

(e) In exceptional circumstances, and subject to the provisions of rule 209.10, the Secretary-General may authorize advance annual leave up to a maximum of two weeks for an individual, provided his or her service is expected to continue for a period beyond the date necessary for him or her to accrue that amount of leave.

Rule 205.2

Home leave

(See also rule 207.11 for travel on home leave)

(a) Subject to the conditions in staff regulation 5.3 and rule 207.11 and such others as may be prescribed by the Secretary-General from time to time, project personnel in intermediate- or long-term status who are residing and serving outside their home country and their eligible family members who are in the mission area shall be allowed to visit the home country at the expense of the Organization once every two years.

(i) When the shipment of personal effects or household goods is authorized under paragraph (e) or (f) of this rule:

(i) Shipment shall be made in one consignment unless otherwise warranted, in the opinion of the Secretary-General, by exceptional circumstances;

(ii) Shipment shall normally be made between the place of recruitment or of home leave and the duty station. Where shipment is authorized between any other place and the duty station, payment of transportation expenses shall not exceed the normal entitlement;

(iii) Reasonable costs of packing, crating, unpacking and uncrating shall be allowed for shipments within the authorized limits, except that costs for servicing of appliances, dismantling or erection of fixtures or costs of special packing shall not be borne by the United Nations;

(iv) Storage charges, other than those incidental to transportation expenses, shall not normally be allowed; and

(v) Privately owned vehicles may not be transported in lieu of personal effects and household goods under paragraphs (e) and (f) of this rule.

(j) Project personnel and their eligible family members on home leave travel, family visit travel or education grant travel by air or by land may be authorized an unaccompanied shipment of personal effects by a surface mode of transportation up to a maximum, including the weight or volume of packing but excluding crating and lift vans, of:

(i) 50 kilograms (110 pounds) or 0.31 cubic metres (11 cubic feet) per person in respect of each journey, except as provided in subparagraph (ii) below. At the request of the individual, this entitlement may be converted to 10 additional kilograms of accompanied excess baggage or its equivalent as established by the Secretary-General;

(ii) 200 kilograms (440 pounds) or 1.24 cubic metres (44 cubic feet), in respect of the first outward journey to, and the final return journey from, an educational institution on education grant travel.

Shipments under this paragraph shall be made in one consignment. When the authorized travel is by air, the whole entitlement may be converted to air freight on the basis of the one-half rule. No costs for packing, crating, unpacking and uncrating will be paid for such shipments, but reasonable costs will be paid for cartage.

(k) In addition to the shipment of personal effects and household goods under this rule, the cost of transporting a privately-owned automobile to a duty station may be partially reimbursed under conditions established by the Secretary-General, provided that the duty station to which the automobile is transported is one of the duty stations designated for that purpose and that the assignment of project personnel to the duty station is expected to be for

a period of two years or more or that the initial assignment for a lesser period is extended so that the total period of assignment becomes two years or more.

(l) Notwithstanding the one-half rule laid down in paragraphs (g) and (j) above, conversion to air freight on the basis of the full weight or volume may be authorized in the following cases:

(i) Where the cost of air freight is lower than surface shipment;

(ii) Where there is an extraordinary risk of damage to, or loss of, the shipment in transit; or

(iii) Where an excessive shipping delay is expected, particularly for shipment to land-locked countries.

However, for surface shipments under paragraph (j) conversion on the basis of the full weight or volume may be authorized only in the cases indicated in subparagraphs (i) and (ii) above.

(m) Under terms and conditions established by the Secretary-General, project personnel serving at designated duty stations having very difficult conditions of life and work shall be granted once a year an additional shipment entitlement to the duty station by surface means of up to 50 kilograms (110 pounds) or 0.31 cubic metres (11 cubic feet) excluding crating, in respect of the individual and each eligible family member accompanying him or her at the duty station.

Rule 207.21

Insurance

(a) Project personnel shall not be reimbursed for the cost of personal accident insurance or of insurance of accompanied personal baggage. However, compensation may be paid in respect of losses of accompanied personal baggage in accordance with such arrangements as may be in force under rule 206.6.

(b) In the case of personal effects and household goods shipped under rule 207.20 (e), the United Nations will arrange for commercial insurance coverage of $16 per kilogram. For project personnel under rule 207.20 (f), the coverage will be up to a maximum of:

(i) $16,000 for the staff member;

(ii) $8,000 for the first eligible family member;

(iii) $4,800 for each additional family member.

Such insurance coverage shall not include articles of value for which special premium rates are charged. The United Nations will not be responsible for loss or damage to unaccompanied baggage.

(i) A dependent child, for the purpose of repatriation grant, shall mean a child recognized as dependent under rule 203.7 (b) at the time of the individual's separation from service. The repatriation grant shall be paid at the rate for a staff member with a spouse or dependent child to eligible project personnel regardless of the place of residence of the spouse or dependent child.

(j) Where both husband and wife are employed by the United Nations or by a specialized agency and each is entitled, on separation, to payment of a repatriation grant, and taking into account rule 204.7, payment shall be made to each, at single rates, according to their respective entitlements, provided that, where dependent children are recognized, the first parent to be separated may claim payment at the rate applicable to a staff member with a spouse or dependent child. In this event, the second parent, on separation, may claim payment at the single rate for the whole period of qualifying service or, if eligible, at the rate applicable to a staff member with a spouse or dependent child for the whole period of his or her qualifying service, from which shall normally be deducted the amount difference between the dependency rate and the single rate of the repatriation grant paid to the first parent.

(k) Loss of entitlement to payment of return travel expenses under rule 207.24 shall not affect project personnel's eligibility for payment of the repatriation grant.

(l) In the event of the death of project personnel, no payment of repatriation grant shall be made unless there is a surviving spouse or one or more dependent children. If there is one such survivor, payment of repatriation grant shall be made at the single rate to the survivor; if there are two or more such survivors, payment of repatriation grant shall be made at the rate applicable to a staff member with a spouse or dependent child and shall be paid to the survivors in such proportions as may have been specified by the deceased, or in the absence of such designation, in equal proportions.

(m) Payment of repatriation grant shall normally be made in the currency of the established country of residence.

Rule 209.9

Commutation of accrued annual leave

If, upon separation, project personnel have accrued annual leave, they shall be paid in lieu thereof a sum of money in commutation of the period of such accrued leave up to a maximum of forty-five days in the case of service of two years or less, or sixty days in the case of longer service. The payment shall be calculated on the basis of the individual's net base salary plus post adjustment, according to the schedule of rates set forth in staff regulation 3.3 (b) (i).

Rule 209.10

Restitution of advance annual and sick leave

(a) On separation, project personnel who have taken advance annual or sick leave beyond the amount actually earned and accrued while in service shall be required to make restitution for such advance leave by means of a cash refund.

(b) The Secretary-General may waive this requirement if he is satisfied that there are compelling reasons for doing so.

Rule 209.11

Last day for pay purposes

(a) When project personnel are separated from service, the date on which entitlement to salary, allowances and benefits shall cease shall be determined according to the following provisions:

(i) Upon resignation, the date shall be either the date of expiration of the notice period under rule 209.1 or such other date as the Secretary-General accepts;

(ii) Upon expiration of a fixed-term appointment, the date shall be the date specified in the letter of appointment;

(iii) Upon termination, the date shall be the date provided in the notice of termination;

(iv) In the case of summary dismissal, the date shall be the date of dismissal;

(v) In the case of death, the date on which entitlement to salary, allowances and benefits shall cease shall be the date of death, unless there is a surviving spouse or a dependent child. In this event, the date shall be determined in accordance with the following schedule:

Length of service	Months of extension beyond date of death
3 years or less.....	3
4 years.....	4
5 years.....	5
6 years.....	6
7 years.....	7
8 years.....	8
9 years or more.....	9

Chapter XII

GENERAL PROVISIONS

Rule 212.1

Amendment of, and exceptional to, Staff Rules

(a) Subject to staff regulations 12.1, 12.2, 12.3, 12.4 and 12.5, the present rules may be amended by the Secretary-General in a manner consistent with the Staff Regulations.

(b) Exceptions to the present rules may be made by the Secretary- General provided that such exception is not inconsistent with any staff regulation, and provided further that it is agreed to by the individual directly affected and is, in the opinion of the Secretary-General, not prejudicial to the interests of other project personnel.

Rule 212.2

Financial responsibility

Project personnel may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of their negligence or of their having violated any regulation, rule or administrative instruction.

Rule 212.3

Liability insurance

Project personnel who own or drive automobiles shall carry public liability and property damage insurance in an amount adequate to insure them against claims arising from injury or death to other persons or damage to the property of others, caused by their automobiles.

Rule 212.4

Beneficiaries

(a) At the time of appointment, project personnel shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Secretary-General. It shall be the responsibility of project personnel to notify the Secretary-General of any revocations or changes of beneficiaries.

(b) In the event of the death of the individual, all amounts standing to his or her credit will be paid to his or her nominated beneficiary or beneficiaries subject to application of the present rules. Such payment shall afford the United Nations a complete release from all further liability in respect to any sum so paid.

(c) If a nominated beneficiary does not survive or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of the individual shall upon his or her death be paid to his or her estate.

Rule 212.5

Retroactivity of payment

Project personnel who may not have been receiving any allowances, grants or other payments due under the present rules shall not be entitled to receive such allowances, grants or other payments retroactively, unless a written claim has been submitted within one year of the date when the initial payment would otherwise have been due.

Rule 212.6

Proprietary rights

All rights, including title, copyright and patent rights, in any work performed by project personnel as part of their official duties shall be vested in the United Nations.

Rule 212.7

Effective date and authentic texts of rules

Except as otherwise indicated and subject always to the provisions of regulations 12.1, 12.2, 12.3, 12.4 and 12.5, rules 200.1 to 212.7 as published in the present revised edition (ST/SGB/Staff Rules/2/Rev.8/Amend.1) shall be effective 1 January 1996 and shall supersede all previous rules applicable to project personnel. The English and French texts of these rules are equally authoritative.

Pensionable remuneration for purposes of pension benefits and pension contributions

(In United States dollars)

Effective 1 November 1995

	STEPS														
Level	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
L-7	128 653	131 741	134 651	137 674	140 764	143 923									
L-6	113 430	116 001	118 626	121 197	123 829	126 439	128 966	131 546	134 173						
L-5	100 694	103 001	105 211	107 462	109 796	111 958	114 263	116 922	119 303	121 535	123 811	126 127	128 487		
L-4	82 782	84 976	87 157	89 235	91 494	93 671	95 881	98 333	100 582	102 967	104 559	106 811	109 112	111 461	113 863
L-3	67 831	69 937	71 972	73 914	75 918	77 895	80 003	82 524	84 177	86 403	88 036	89 979	91 991	94 046	96 149
L-2	54 823	56 574	58 233	60 012	61 788	63 408	65 173	67 245	69 205	70 977	72 391	73 755			
L-1	42 990	44 465	45 773	47 105	48 575	49 892	51 471	53 529	55 265	56 851					

Appendix II (rule 211.1)

STAFF RULES 111.1 AND 111.2

Rule 111.1

Establishment

(a) Joint Appeals Boards shall be established in New York, Geneva, Vienna, Nairobi and at such other duty stations as may be designated by the Secretary-General to consider and advise the Secretary-General regarding appeals filed under the terms of staff regulation 11.1.

(b) Each Joint Appeals Board shall be composed of:

(i) Chairpersons appointed by the Secretary-General from among a list presented by the joint staff/management machinery in respect of the staff representative body or bodies at the duty station at which the Board is established;

(ii) Members appointed by the Secretary-General;

(iii) An equal number of members elected by ballot of the staff under the jurisdiction of the Board.

The number of chairpersons and members of each Board shall be determined by the Secretary-General upon recommendation of the joint staff/management machinery in respect of the staff representative body or bodies at the duty station at which the Board is established.

(c) The chairpersons and members of the Joint Appeals Board shall be appointed or elected for two years, shall be eligible for reappointment or re-election and shall remain in office until their successors are appointed or elected.

(d) A chairperson may be removed from a Joint Appeals Board by the Secretary-General upon recommendation of the joint staff/management machinery in respect of the staff representative body or bodies of the duty station at which the Board is established. The members appointed by the Secretary-General may be removed by him. The members elected by the staff may be recalled by a majority vote of the staff under the jurisdiction of the Board concerned, taken at the initiative of any staff representative body at the duty station at which that Board is established.

(e) Each Joint Appeals Board shall establish its own rules of procedure, which shall specify how its presiding officer and, where necessary, any alternate presiding officers shall be selected from among the chairpersons.